

ML

Missing Part 9/3/00



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: ASSISTANT COMMISSIONER FOR PATENTS

Box PCT

Washington, D.C. 20231

09/600072

SAIED

1029/00205

U.S. APPLICATION NO.

FIRST NAMED APPLICANT

ATTY. DOCKET NO.

POLLOCK VANDE SANDE
AMERNICK
1990 M STREET NW
SUITE 800
WASHINGTON DC 20036-3425

PCT/EP99/00040
INTERNATIONAL APPLICATION NO.

I/A FILING DATE 01/12/99 PRIORITY DATE 01/12/98

DATE MAILED: 08/03/00

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),
☒ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

- ☒ a non-English language.
☐ English.

☒ Translation of the international application into English.

☐ Oath or Declaration of inventors(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☐ The International Preliminary Examination Report in English and its Annexes, if any.

☒ Translation of Annexes to the International Preliminary Examination Report into English.

☒ Preliminary amendment(s) filed 11/11/2000 and

☒ Information Disclosure Statement(s) filed 11/11/2000 and

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☒ Substitute specification filed 11/11/2000

☐ Verified Statement Claiming Small Entity Status.

☒ Priority Document.

☒ Copy of the International Search Report ☒ and copies of the references cited therein.

☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.

☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

☐ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)). Prepaid.

3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed:

☐ PCT/DO/EO/917

☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Stated for SA

Telephone: 703 305-1000

(703)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Amena Saied et al.

Serial No.: 09/600,073

: Art Unit:

Filed: July 11, 2000

: Examiner:

For: METHOD FOR EXPLORING
AND DISPLAYING TISSUE OF
HUMAN OR ANIMAL ORIGIN
FROM A HIGH FREQUENCY
ULTRASOUND PROBE

: Atty Docket: 1029/00205

RECEIVED
15 FEB 2001
Legal Staff
International Division

**TRANSMISSION OF STATEMENT OF FACTS IN SUPPORT OF FILING ON
BEHALF OF NON-SIGNING INVENTOR (37 CFR § 1.47(a))**

Commissioner for Patents
Washington, D.C. 20231

Sir:

Transmitted herewith under 37 CFR § 1.47(a) is a Statement of Facts in Support of Filing on Behalf of Non-Signing Inventor. Particularly, the Statement contains the following information:

1. The last known address of the non-signing inventor (i.e., Michel Puech, 11 11 rue Bertin Poirée, 75001 Paris, France);
2. The details of the efforts made to reach the non-signing inventor (paragraphs 1-7 of the Statement); and
3. Exhibit A and Exhibit B evidencing return of the documents forwarded to the non-signing inventor.

DEPOSIT ACCOUNT AUTHORIZATION

It is not believed that extensions of time or other fees are required, beyond those which may otherwise be provided for in documents accompanying this paper.

However, in the event that additional fees are necessary, then any fees required for consideration of this paper are hereby authorized to be charged to our Deposit Account No. 22-0185.

Respectfully submitted,

A handwritten signature in cursive script that reads "Morris Liss".

Morris Liss, Reg. No. 24,510
Connolly Bove Lodge & Hutz LLP
1990 M Street, N.W.
Washington, D.C. 20036-3425
Telephone: 202-331-7111

Date: 2/5/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

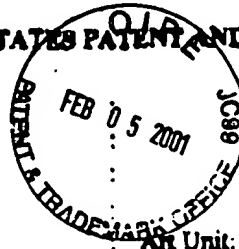
In re Application of:

Amens Saied et al.

Serial No.: 09/600,073

Filed: July 11, 2000

For: METHOD FOR EXPLORING
AND DISPLAYING TISSUE OF
HUMAN OR ANIMAL ORIGIN
FROM A HIGH FREQUENCY
ULTRASOUND PROBE



Art Unit:

Examiner:

Any Docket: 1029/00205

RECEIVED
15 FEB 2001
Legal Staff
International Division

STATEMENT OF FACTS IN SUPPORT OF FILIGN ON BEHALF OF
NON-SIGNING INVENTOR (37 CFR § 1.47(e))

Commissioner for Patents
Washington, D.C. 20231

Sir:

This statement is made as to the exact facts that are relied upon to establish the diligent effort made to secure the execution of the Declaration by the non-signing inventor for the above-identified patent application.

This statement is being made by the available person having firsthand knowledge of the facts recited herein and is identified as follows:

FIST S.A., by:

PLANCHERET
Name

135 bd St Michel
Street Address

75005 PARIS
Postal Code, City, Country

The name and last known address of the non-signing inventor is as follows:

Michel Puech
14 avenue de Breteuil
75007 Paris
France

DETAILS OF EFFORTS TO REACH NON-SIGNING INVENTOR

1. The Assignee of the present invention is the Centre National de la Recherche Scientifique (C.N.R.S.). The Assignee's agent for obtaining signatures on Declarations, from inventors, is France Invention Scientific Transfery (FIST). On June 21, 2000, FIST received the Declaration forms ready for signature, as prepared by Chantal Peaucelle of the Paris patent law firm of Cabinet Armengaud Aîné, 3, Avenue Bugeaud, 75116 Paris, France.

2. At the end of June, the Declaration was initially sent to inventor M. Laugier with the request that he sign the Declaration and forward it to the other co-inventors. Upon execution of the Declaration by the three signing inventors, the Declaration was sent to Mr. Puech with return receipt requested to his then known address at:

Mr. M. Puech
11 rue Berin Poltrée
75001 Paris
France

This occurred on July 10, 2000, as evidenced from the return receipt request shown on the upper portion of Exhibit A.

3. On July 12, a return receipt was received by FIST indicating receipt of the Declaration by Mr. Puech. (See bottom portion of Exhibit A.)

We were then told by our patent agent Mrs PEAUCELLE, Cabinet ARMENGAUD AÎNÉ, 3 avenue Bugeaud, 75116, PARIS, that Mr PUECH did not live anymore at said address.

4. A number of inquiries and research was done in an attempt to establish the new address for Mr. Puech. A new possible address was established at:

Mr. M. Puech
14 avenue de Breteuil
75007 Paris
France

5. A second Declaration was prepared and distributed by FIST on September 27, 2000. The Declaration was signed by the three signing inventors.

6. On October 10, 2000, the Declaration form with the three signatures was sent by FIST to Mr. Puech at the second address along with a return receipt request. See the top of Exhibit B. A request for his signature accompanied the Declaration.

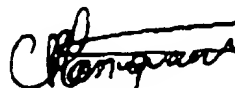
7. On October 24, 2000, a return receipt was received by FIST indicating receipt of the Declaration by Mr. Puech. To this day, there has been no response to the request for his signature and no return of the second Declaration.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FIST S.A.

Date:

05/02/01



By:

Nelly Planquaert

Exhibit A

61357

PAIEMENT
D'UN OBJET RECOUVRÉ
ATTENDU EN DÉPENSE

RA4493 5155 5ER

DEBITAIRE LITTE ☒ COLLE ☐

Monsieur PUECH

11 rue Saint Pairée

75001 PARIS

Pouvoirs

ALPHABETIQUE

FIST SA

135 BD SAINT MICHEL

75005 PARIS

NUM DES VOUCHERS DE RACCOMANDEMENT

CONSERVEZ CE FEUILLET, IL SERA
NECESSAIRE EN CAS DE RECLAMATION.

INDIQUEZ LE MONTANT DU
CONTRE-REMBOURSEMENT

MCA N° 123456789 555 000 000 - LA POSTE - Adresse P. 123

Page 2

La Poste

61357

A DES AMIS

Présenté le

Distribué le

à l'usage de

10/07/00

2327 2200

CONTRE-REMBOURSEMENT

RA

Monsieur PUECH

11 rue Saint Pairée

75001 PARIS

FIST SA

135 BD SAINT MICHEL

75005 PARIS

LA POSTE

Exhibit B

D'UN OBJET RECOMMANDÉ
AVEC ASSURANCE

STAMPÉ CLIENT A ☒ ☐ ☐
F DE RECOMMANDATION R1 R2 R3

RA 4493 5198 9FR

RECOMMANDATION LETTRE ☒ COLIS ☐

N. Pouch
14 avenue de Brest
75007 PARIS

EXPÉDITEUR

FIST SA

135 BD SAINT MICHEL
75005 PARIS

INDIQUEZ LE MONTANT DU
COSTAS-REMBOURSEMENT

LES MONTANTS SONT EN FRANCS - LA POSTE - ASSURANCE 100%

NE PAS OUBLIER DE TAILLON

Page 3

LA POSTE

Préparé le :

Distribué le :

Signature du destinataire

16/06/77

FIST SA

135 BD SAINT MICHEL
75005 PARIS

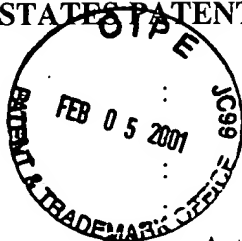


PROFIT Rule 05 FEB 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Amena Saied et al.



Serial No.: 09/600,073

Art Unit: To be assigned

Filed: July 11, 2000

Examiner: To be assigned

For: METHOD FOR EXPLORING
AND DISPLAYING TISSUE OF
HUMAN OR ANIMAL ORIGIN
FROM A HIGH FREQUENCY
ULTRASOUND PROBE

Atty Docket: 1029/00205

RESPONSE TO "NOTICE TO FILE MISSING PARTS"

Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the **NOTICE TO FILE MISSING PARTS OF APPLICATION** dated August 3, 2000, Applicants submit herewith the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Copy of the Notice to File Missing Parts;
2. Original Declaration executed by all but one of the inventors on their own behalf and on behalf of the non-signing inventor;
3. An Assignment for recording;
4. A Statement of Facts in Support of Filing on Behalf of Non-Signing Inventor, with cover sheet and Exhibits;
5. An English translation of the International Preliminary Examination Report;
and
6. Our check for \$1,930.00 covering:

\$1,890.00 - fee for 5-Month Extension of Time, and
\$40.00 - Assignment recordation fee.

The Director is hereby authorized to charge any insufficient fees, including any fees required under 37 CFR §§ 1.16 or 1.17, or credit any overpayment to Deposit Account No. 22-0185. A duplicate copy of this authorization is also attached.

Respectfully submitted,

A handwritten signature in cursive script that reads "Morris Liss".

Morris Liss, Reg. No. 24,510
Connolly Bove Lodge & Hutz LLP
1990 M Street, N.W.
Washington, D.C. 20036-3425
Telephone: 202-331-7111

Date: 2/5/01